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RCE# 3763

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner For Patents, P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/671,048
Filing Date	09/27/2000
First Named Inventor	James J. Frassica
Art Unit	3763
Examiner Name	Manuel A. Mendez
Attorney Docket Number	FA-70

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other (Request for Clarification)

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-0221
- i. ☐ RCE fee required under 37 CFR 1.17(e) 02/26/2004 AWONDAF1 00000060 09671048
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 385.00 OP
- iii. ☒ Other any deficiencies
- b. ☒ Check in the amount of \$ 385.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	James A. Sheridan	Registration No. (Attorney/Agent)	43,114
Signature	James A. Sheridan 2/17/04	Date	02/17/2004

CERTIFICATE OF MAILING OR TRANSMISSION

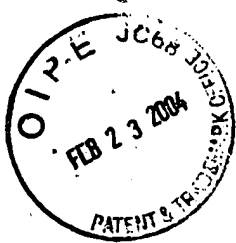
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (Print/Type)	James A. Sheridan	Date	02/17/2004
Signature	James A. Sheridan 2/17/04		

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DP/FA70.RCE

FA-70



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James J. Frassica
Serial No.: 09/671,048
Filing Date: 09/27/2000
Title: ROTATE-TO-ADVANCE CATHETERIZATION
SYSTEM
Group Art Unit: 3763
Examiner: Manuel A. Mendez
Attorney's Docket No.: FA-70

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CLARIFICATION

In the outstanding NOTICE OF ALLOWABILITY mailed on 11/17/2003, item 2 states the "allowed claim(s) is/are 1-3 and 11" and the Examiner's Amendment states the "application has been amended as follows: Claims 1-3, and 11 have been cancelled."

Applicant believes that the Examiner's Amendment is incorrect inasmuch as claims 1-3 and 11 are allowed and withdrawn claims 4-10 should have been canceled. Applicant

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TECHNOLOGY CENTER R3700

FA-70

respectfully requests clarification concerning the canceled claims in the Examiner's Amendment.

Please charge any additional fees due in connection with this submission to Deposit Account No. 16-0221. A duplicate copy of this submission is enclosed for the convenience of the Examiner.

Thank you.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

February 17, 2004

(DATE OF DEPOSIT)

James A. Sheridan

(NAME OF ATTORNEY)

James A. Sheridan 2/17/04
(SIGNATURE)

February 17, 2004

(DATE OF SIGNATURE)

Respectfully submitted,

James A. Sheridan 2/17/04
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